



## ILLINOIS COMMERCE COMMISSION

June 25, 2003

United Transportation Union -- Illinois Legislative Board,  
Petitioner

Vs.

Norfolk Southern Corporation  
Respondent

T03-0063

Complaint as to failure to comply with 92 Ill. Adm. Code 1545 150, 140(c), 1401,  
100, 110, 120 and 210 at the facilities located as 55<sup>th</sup> Street, Chicago, Illinois.

Mr. Timothy C. Lapp  
Hiskes, Dillner, O'Donnell,  
Marovich & Lapp, Ltd.  
16231 Wausau Avenue  
South Holland, IL 60473

Dear Mr. Lapp:

Receipt is acknowledged of the original and four (4) copies of the Complaint filed June 24, 2003 in the above matter.

A copy of the Complaint is being served on the Respondent.

Processing and Information Section

kl

cc: Mr. Victor A. Modeer, IDOT  
Mr. Thomas Ambler, NS  
Mr. Richard Boyle, NS  
Ms. Alaina Bridges, Chicago DOT  
Mr. Joseph Szabo

# FORMAL COMPLAINT

Illinois Commerce Commission  
527 E. Capitol Avenue  
Post Office Box 4905  
Springfield, Illinois 62708

ORIGINAL

RECEIVED  
JUN 24 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

Regarding a complaint

For Commission use only.

by Illinois Legislative Board  
(Person making the complaint)  
against NORFOLK SOUTHERN CORPORATION  
(Utility name)

Case T03-0063

File \_\_\_\_\_

as to \_\_\_\_\_ inadequate locker room facilities for men and women, improper lighting, furnishings, heating and ventilation in the existing locker room and lunchroom facilities, unsanitary men's washing and showering facilities, unsanitary and inadequate washroom facilities, existing cracks and holes in exterior walls, lack of screens on windows, lack of cold drinking water.

in CHICAGO Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 8 South Michigan Ave., Suite 2006, Chicago, IL 60603

The service address that I am complaining about is NORFOLK'S SOUTHERN 55th STREET RAILYARD FACILITIES

My home telephone number is ( )

Between 8:30 A.M. and 5:00 P.M. weekdays I can be reached at (312) 236-5353

NORFOLK SOUTHERN CORPORATION (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.  
(Full name of utility company)

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs which you think are involved with your complaint.

92 Ill. Adm. Code 1545 150, 140(c), 1401, 100, 110, 120 and 210.

Have you contacted the Consumer Affairs Division of the Illinois Commerce Commission about this complaint?

\_\_\_\_ Yes

\_\_\_\_ No

Has your complaint filed with that office been closed?

\_\_\_\_ Yes

\_\_\_\_ No

cc201/07

DOCKETED

JUN 25 2003

Please state your complaint briefly. Number each of the paragraphs. Please include any specific time period and dollar amounts involved with your complaint. Use an extra sheet of paper, if needed.

1. The employee facilities at Norfolk Southern's 55<sup>th</sup> Street Yard are inadequate and unsanitary. The facility lacks locker rooms for both men and women even though employees of both genders are stationed out of the facility. The existing locker room has lockers in disrepair and is improperly lighted, heated, ventilated and is unsanitary. Cracks and holes in the exterior walls prevent protection from outside elements. Further, the locker room does not contain appropriate furniture to facilitate changing clothes.

2. The restrooms and washing areas at the facility are also inadequate and unsanitary. The toilet area is not properly ventilated and the toilets have loose rings. Plus, there is no hot water for washing for hygiene purposes. The lunchroom is similarly improperly lighted and ventilated. Finally, although water is provided, there is no method available to keep the water cold.

Please clearly state what you want the Commission to do in this case.

ENFORCE COMPLIANCE BY THE RAIL CARRIER AND LEVY SANCTIONS AND/OR FINES FOR FAILURE TO COMPLY IN A TIMELY FASHION.

Date:

6/23/03

(Month, day, and year)

Complainant's signature

*Joseph C. Szabo*

If you will be represented by an attorney, please give the attorney's name, address, and telephone number

Timothy C. Lapp, HISKES, DILLNER, O'DONNELL, MAROVICH & LAPP, LTD.  
16231 Wausau Avenue, South Holland, IL 60473  
(708) 333-1234 Atty. No. 80407

You need to file the original and three copies of this form with the Commission and also provide the Commission with one copy for each utility complained about (referred to as respondents).

#### VERIFICATION

A notary public must watch you fill out this part of the form.

I, Joseph C. Szabo, first being duly sworn, say that I have read the above petition and know what it says. The contents of this petition are true to the best of my knowledge.

*Joseph C. Szabo*  
(Signature)

Subscribed and sworn/affirmed to before me this 23<sup>rd</sup> day of June 16 2003



*Tina M. O'Brien*  
Notary Public, Illinois

#### NOTE:

Failure to answer all of the questions on this form may result in this form being returned to you without processing. If you have questions, please call the counselor in the Consumer Affairs Division that handled your informal complaint.